CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

15 November 1971

Mr. Paul L. Hoch
1735 Highland Place
Apartment 25
Berkeley, California 94709

Dear Mr. Hoch:

I have your letter of 1 November 1971, which makes certain inquiries about exhibits contained in the Warren Commission Report and related papers.

In connection with items (1) and (2) of your request, the photograph of the unidentified man is currently available in the Warren Commission files in the National Archives and Records Service. The photograph was discussed in detail on pages 364 and 365 of the Warren Commission Report, with which you are familiar. If you have further questions about this picture, we would be glad to discuss them with you if you come to Washington. But, the fact remains that to our knowledge the individual pictured has not been identified, and we have no further information in this regard.

With regard to your item (3), the memorandum of July 23, 1964 from Richard Helms is a forwarding memorandum which relates only to the source of the material, has no substantive information whatsoever, and because of the source information is still classified.

With regard to your item (4), materials of this sort, if any, would be classified and not releasable.

In connection with your last paragraph, the procedures recorded in 32 Fed. Reg. 10759 are still in effect.

Sincerely,

Angus MacLean Thuermer
Assistant to the Director

1735 Highland Place, Apt. 25
Berkeley, Ca. 94709
November 24, 1971

Executive Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Sir:

I have received Mr. Thuermer's letter of November 15, 1971, concerning my requests for certain CIA records relating to the assassination of President Kennedy. I am grateful for the prompt response.

In accordance with the Freedom of Information Act and paragraph 4 of the CIA statement of July 21, 1967 (32 Fed. Reg. 10759), I hereby request a review of the denial of the four items specified in my letter of November 1, 1971. Please refer to that letter for my arguments in favor of disclosure.

Thank you very much for your offer to discuss with me any further questions I might have about the photograph of the unidentified man. Unfortunately, I have no plans to go to Washington in the near future. I personally do not have any information about this picture other than what is in the records of the Warren Commission; I am aware of published claims and rumors that the man has been identified but I am not inclined to believe them. The main question I have about this photograph is how it came to be associated with Oswald. On page 364 of the Warren Report, which Mr. Thuermer cited for me, it is described as "a photograph of a man who, it was thought at the time [November 22, 1963] might have been associated with Oswald." No attribution or explanation of this thought was provided, and naturally the reader would suspect a significant association - for example, that this man had been seen or photographed with Oswald, that he had identified himself as Oswald or had so been identified by an informant in the Cuban or Soviet Embassy, etc. On the basis of the documents presently available, my tentative interpretation is that the connection was inferred from the fact that this man had been hanging around the Embassies, where Oswald had reportedly been. However, the continued withholding of any related material sustains the impression that there was a more substantial reason for the presumed association.

Mr. Thuermer wrote that "in connection with items (1) and (2) of [my] request, the photograph ... is currently available in the Warren Commission files...." I assume that he meant to confirm what I had specified, that cropped versions of one of the three photos are available. (The Archives says it has only these.) If Mr. Thuermer meant that more are available, please clarify this for me.

With regard to item (3), if you decide that this forwarding memorandum cannot be released in full, I ask that you compare it with the presently available information about the source of the picture (as cited in my letter of November 1) and release it with any necessary deletions.

Certainly classified material - if it is properly classified - is exempt from the mandatory disclosure requirement of the Freedom of Information Act. However, the material in question can be - and no doubt eventually will be - declassified, and I feel that its immediate release would be in the public interest.

Sincerely yours,

Paul L. Hoch

Paul L. Hoch

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